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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE000343

For approval of generation facilities pursuant to Virginia Code § 56-580 D or, in the alternative, for approval of expenditures pursuant to Virginia Code § 56-234.3 and for a certificate of public convenience and necessity pursuant to Virginia Code § 56-265.2

and

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUF000021

For authority under Chapters 3, 4, and 5 of Title 56 of the Code of Virginia to participate in lease financing arrangements for construction of generation facilities, and for a declaration of non-jurisdiction

HEARING EXAMINER'S RULING

August 14, 2000

On June 16, 2000, Virginia Electric and Power Company ("Virginia Power" or "the Company") filed an application with the Commission in which, among other things, it proposes to construct a new generating plant at the Possum Point Power Station ("Possum Point"). On July 5, 2000, Virginia Power filed an application seeking authority from the Commission to participate in lease financing arrangements of approximately \$300 million for the construction of the generation facilities at Possum Point, for a declaration that the Commission will not assert jurisdiction over the financing parties to the transaction, and for an exemption from, or approval under, § 56-234.3 or determination that it does not apply. On July 26, 2000, the Commission issued an Order Inviting Comments and Responses and Prescribing Notice in which, among other things, it docketed the proceedings, appointed a hearing examiner, and established public notice requirements.

On August 10, 2000, Virginia Power, by counsel, filed a Motion for Protective Order with a proposed Protective Order attached thereto.

Upon consideration of the Motion, I find that the Staff and any party to this proceeding should have an opportunity to respond to the Company's Motion. Accordingly,

IT IS DIRECTED that, on or before August 18, 2000, the Staff and any other party may file responses to the Motion for Protective Order filed by Virginia Power.

Deborah V. Ellenberg
Chief Hearing Examiner